



MINUTES OF THE MEETING ON 14 FEBRUARY 1977

Date: 14 February 1977
 Time: 12:30 to 3:45 P.M.
 Place: The Canal House, 25 Calhoun St., Trenton, New Jersey

Attending:
 Commission: Mr. Burns, Mr. Kirkland, Mr. Sayen, Mr. Torpey, Mr. Jones, Mr. Hamilton, and Ms. Wilson

Staff:
 DAG: Mr. Amon and Mrs. Brown
 DEP: Steven Gray, Esq.
 Mr. Michael Galley, Bureau of Water Facility Operations
 Mr. Frank Rigg, Bureau of Parks
 Mr. Eric Pearl, Assistant to Commissioner Wilson

Absent: Mr. Jessen and Mayor Holland

Guests: John Rogers and Fritts Golden from Rogers and Golden, Inc.

Chairman Kirkland brought the meeting to order and stated that the requirements of the Public Meetings Law had been properly met for the meeting of the Delaware and Raritan Canal Commission on 14 February 1977.

Minutes of the meeting on 10 January 1977

Mr. Sayen moved to accept the minutes of the meeting on 10 January 1977. Mr. Torpey seconded the motion; all Commissioners present and voting concurred.

EXECUTIVE	COMMISSIONERS					
DIRECTOR	Benjamin B. Kirkland	Martin D. Jessen	Donald B. Jones	David J. Bardin	Joseph H. Burns	James C. Sayen
James C. Amon	<i>Chairman</i>	<i>Vice-Chairman</i>	<i>Treasurer</i>	Bruce A. Hamilton	Arthur J. Holland	Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Brendan Byrne, *Governor* David J. Bardin, *Commissioner*

Lease Approval

It was moved by Mr. Sayen and seconded by Mr. Torpey with no dissenting votes to approve the lease with Franklin Township referred to in Mr. Amon's memo to the Commissioners dated 4 February 1977.

Discussion on guidelines for permit issuing process

The rough draft of the document "Procedures for obtaining a permit for action in the D & R Canal State Park" was discussed. Several technical points were raised by Steven Gray and it was decided that Mr. Gray and Mr. Amon would meet separately to discuss these fine points. Mr. Galley suggested that in addition to this procedural guide, the Commission compose a checklist of other governmental agencies whose approval might also be necessary for a permit. The checklist would insure that the permit would have had prior approval from other necessary agencies before being presented for a final decision from the D & R Canal Commission, the Bureau of Water Facility Operations, and the Division of Parks and Forestry.

Presentation of the preliminary report on the vegetation survey

John Rogers and Fritts Golden of Rogers and Golden, Inc. presented their preliminary report on the vegetation survey. They explained both the outline of the narrative text and the information given on the accompanying maps. Each Commissioner was presented with a brief summary of the major text.

Discussion on the Stream Encroachment permit for the Griggstown Causeway Bridge

Mr. Amon informed the Commission that a renewal of a past Stream Encroachment permit for the Griggstown Causeway Bridge had been sought by and granted to the Somerset Freeholders last month. The original permit had been initially approved before the Commission was established and operating. The question was raised concerning the Commission's review procedure in this matter. Because a renewal of a permit involving use of the land in the D & R Canal Park was issued, the Commission has the authority to review the permit. Mr. Rigg stated that he and Mr. Guido had been approached by the Somerset Freeholders and that the group is aware that it must receive the approval of the D & R Canal Commission before commencing with any plans effecting the existing bridge. Consequently the Commission unanimously agreed to wait until the applicant brings the project to the Commission for approval and not to review the permit at the present time.

Betty Wilson stated that the Commission should work out a notification procedure with other departmental agencies who are in the position of issuing permits. This system would serve to alert the applicant to the fact that the applicant must receive permit approval from the Commission as well as from other agencies. This form of "one stop shopping" would also serve to notify each agency of the existence of permit applications which may need their approval in the future.

Discussion on the resolution to have the Canal Park included in the Delaware River Basin Commission's Comprehensive Plan

Mr. Sayen made the motion to pass a resolution requesting that the Delaware River Basin Commission include the D & R Canal State Park in the Comprehensive Plan of the Basin Commission as explained in Mr. Amon's memo to the Commissioners dated 28 January 1977. Mr. Jones seconded that motion with no dissenting votes.

Acquisition Request

It was brought to Mr. Amon's attention this month by the BWFO that part of the canal bank in South Bound Brook may be privately owned. (Refer to Mr. Amon's memo to the Commissioners dated 27 January 1977) If this is the case, Mr. Amon suggested that the State buy the land and incorporate it into the Canal Park. Before doing so, a title search and, if necessary, a survey must be made to determine the exact status of the land ownership. Mr. Hamilton motioned that a resolution be passed which would request that the DEP conduct a search, and if necessary, a survey to determine the ownership of the above mentioned lots in South Bound Brook. Mr. Burns seconded the motion with no dissenting votes.

Ms. Wilson suggested that the Executive Director send a memo stating this resolution and citing the paragraph in the enabling Canal Park statute which states that the DEP is responsible for the search and survey to Mr. Alfred Guido, Director, Division of Parks and Forestry. Copies of this memo will be sent to Ms. Wilson and Mr. Galley.

Discussion of Stony Brook Regional Sewer Authority

Mr. Sayen brought up for discussion the two alternative plans, Plan A and Plan X, of the Stony Brook Regional Sewer Authority in terms of their impacts on the Canal Park. It was determined that a subcommittee would be established to study information about each of these plans. The findings of the subcommittee will be outlined at the March Meeting. Mr. Sayen, Mr. Burns, and Mr. Jessen were appointed to the sub-committee.

Executive Director's Report

Mr. Amon explained the reasons supporting the existing boundaries of the watershed area and review zone area. The question was raised concerning the inclusion in the review zone of all of the rivers that have drainage basins effecting the Canal Park. This would include the Raritan and Delaware River basins which constitute a very large tract of land in northern New Jersey. Mr. Galley suggested that the watershed boundaries be delineated according to Direct Impact (those waters running tributary to or under the canal) and Indirect Impact (those waters such as the Delaware River and the Raritan River.) Mr. Amon recommended that the watersheds of the Upper Delaware and Raritan Rivers be considered for review zone inclusion at a later date, after the closer watersheds have been dealt with. Ms. Wilson and Mr. Pearl suggested that these areas could be labelled Type A, B, and C depending upon the effect of their impact. The degree of impact would reflect the degree of the Commission's concern and regulations over that particular area.

It was also pointed out that there are existing organizations that are concerned with these watershed areas of the Upper Delaware and Raritan River basins. It was suggested that in the future the Commission could benefit greatly by working closely with these organizations (ie. Delaware River Basin Commission, South Branch and North Branch Watershed Association, and the Mercer County Flood Control Commission.)

Mr. Amon briefly presented the review zone document "Protecting the Canal Park." of which each Commissioner already has a copy. This document will be discussed at the next meeting of the Review Zone Advisory Committee.

The status of the review zone water survey was next discussed. Mr. Amon suggested that both General Whipple and the principal person behind BWFO's Hydrologic/Hydraulic study get together to determine how each of their work can supplement the other so that the Commission may be able to benefit from the results of the studies as soon as possible. This arrangement is agreeable to Mr. Galley and contact will be made between the two parties.

A date was set for the subcommittee meeting for the review of planning firms who have expressed interest in working with the Commission on its visual review zone. The luncheon meeting is scheduled for Monday, 21 February 1977 at 12:30 at the Canal House.

Bogan Estate in Franklin Township

Mr. Hamilton stated that the DEP had approved the grant for the purchase of the Bogan House with Green Acres funds. There will be a luncheon in late March for the presentation of the check by Commissioner Bardin to Franklin Township. Ms. Wilson stated that the D & R Commissioners would receive invitations to that luncheon.

Port Mercer Dike Property

Mr. Galley informed the Commission that the DEP had acquired 32 acres of land at the Port Mercer Dike. This land is adjacent to the canal, and will become part of the Canal Park.

The meeting adjourned approximately at 3:45 p.m.